

REMARKS

Claims 1, 2 and 4-21 are pending after amendment.

Claim Amendments

By this amendment, claims 1 and 2 are amended to more clearly define the invention. Support for these amendments resides at page 4 of the specification. Claim 3 is cancelled. New claims 9-21 are added. Claims 9 and 18-21 correspond to dependent claim 7. Support for claims 10-17 resides at pages 9 and 10 of the specification. No new matter is added by this amendment.

Restriction Requirement

Applicants acknowledge the withdrawal from consideration of claims 6 and 8 from consideration together with claims 4 and 5.

Interview with Examiner

Applicants acknowledge with appreciation the courtesy extended by the Examiner to their representative during the interview of June 15, 2004. During the interview, the above amendments were discussed. The Examiner indicated during the interview that the above amendments appeared to overcome the rejections under 35 USC 112, as well as the new matter rejection.

Objection to Drawings

The Examiner objects to the drawings for the reasons that (1) the drawings do not show a “substantially continuous film”, and (2) Figure 3B does not label the non-woven fabric between the two layers of film.

In response, applicants cancelled the limitation “substantially continuous film” from claims 1 and 2.

With regard to the “non-woven fabric” issue, the claims do not recite the presence of a “non-woven fabric” between the respective layers. Hence, the objection should be withdrawn.

Rejection under 35 USC 112 (paragraph one)

Claims 1-3 and 7 stand rejected under 35 USC 112 (paragraph one) as failing to provide enablement or written description for the limitation “substantially continuous thin layer”. This rejection respectfully is traversed to the extent deemed to apply to the claims as amended.

In response, applicants amend claims 1 and 2 to delete the limitation “substantially continuous thin layer”. The rejection is thus rendered moot and should be withdrawn.

Rejection under 35 USC 112 (paragraph two)

Claims 1-3 and 7 stand rejected under 35 USC 112 (paragraph two) as not distinctly claiming the invention. This rejection respectfully is traversed to the extent deemed to apply to the claims as amended.

In response, claims 1 and 2 are amended to delete the limitation “substantially continuous thin layer”.

With respect to claim 3, this claim is cancelled.

The rejection is thus improper and should be withdrawn.

Rejection under 35 USC 102(b)/103(a)

Claims 1-3 and 7 stand rejected under 35 USC 102(b) as being anticipated by or obvious in view of Fukuhara et al. This rejection respectfully is traversed to the extent deemed to apply to the claims as amended.

Fukura et al is directed to a heat-insulating material for use with houses. The material is comprised of a fiber structure body obtained by heat treating a mixture of a polyester fiber and a sheath-core fiber. The respective fibers are mutually fused to one another throughout the body by means of the molten sheath component of the sheath-core fiber. As stated at page 4, paragraph [0023] of the reference, the fibers even in the inner layer of the non-woven fabric are fused homogeneously together.

The Fukura et al invention differs from applicants' claimed invention in connection with the degree of fusion of the fibers, and the resulting difference

in the insulation product obtained. Applicants focus the fusion on the exterior portion of the composite material, while causing an interior portion to be formed comprised of a mixture of matrix and heat melting fibers defining air gaps therebetween. The bonded exterior surface portion prevents the flow of air to the interior portion of the material. The insulative value of the composite is thus enhanced.

As such an embodiment is neither disclosed nor suggested by the cited reference, the rejection is without basis and should be withdrawn.

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of the claims of the present application are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mr. Joseph A. Kolasch (Reg. No. 22,463) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$110.00 is attached hereto.

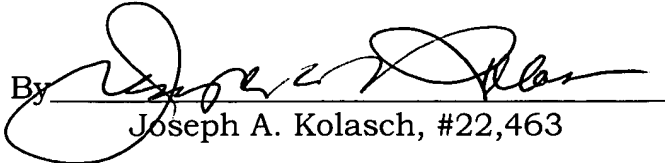
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit

Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

A handwritten signature in black ink, appearing to read "Joseph A. Kolasch", written over a horizontal line.

Joseph A. Kolasch, #22,463

JAK/JWH/sh

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